THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 17206 of 2004

Dated: 28-09-2005

Between:

Mohd.Moosa S/o.Late Mohd.Osman
R/o.H.No.22-3-891, Dharu Shifa, Hyderabad.AP.

..... PETITIONER

AND

The Joint Registrar OSD/FR:27, The Charminar Cooperative urban Bank Ltd. Mallepally, Hyderabad and another.

.....RESPONDENT(S)

THE HONOURABLE SRI JUSTICE K.C.BHANU

W.P.NO.17206 OF 2004

ORDER:

This writ petition is filed seeking a mandamus to declare the action of the respondents in issuing a notice of sale dated 12-08-2004 in E.P.No. 22 of 2003 in respect of the immovable property bearing H.No.17-7-496 to 502 situated at Zamistanpur, Misheerabad, Hyderabad, as illegal, arbitrary and abinitio, and consequently set aside the said sale notice.

When the matter was coming for hearing on 23-09-2005, none appeared and it was posted for dismissal on 28-09-2005. Today, when the matter came up for hearing, none appears for the petitioner.

Except alleging that the sale notice dated 12-08-2004 in E.P.No. 22 of 2003 is illegal and arbitrary, nothing has been explained in the affidavit filed in support of the petition as to how it is illegal and arbitrary. So, in the absence of any specific arbitrariness and illegality, this court is of the considered opinion that the writ petition is devoid of merit and is liable to be dismissed.

The writ petition is dismissed. No order as to costs.

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K.C.BHANU,J

28-09-2005

Stp